

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
)  
Section 63.71 Application of )  
)  
BellSouth Telecommunications, Inc. d/b/a )  
AT&T Southeast )  
)  
For Authority Pursuant to Section 214 of )  
The Communications Act of 1934, As Amended, )  
To Discontinue the Provision of Service )

File No.

*ND-2011-29-C*

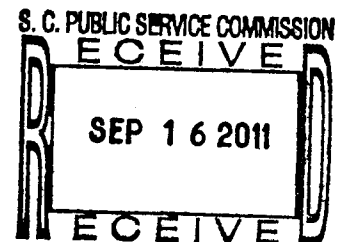
**SECTION 63.71 APPLICATION OF BELL SOUTH TELECOMMUNICATIONS, INC.  
D/B/A AT&T SOUTHEAST**

AT&T Inc. on behalf of its affiliate, BellSouth Telecommunications, Inc. d/b/a AT&T Southeast ("AT&T") applies for authority under Section 214(a) of the Communications Act, as amended ("the Act"), 47 U.S.C. § 214, and Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. §63.71, to discontinue SMARTGate service a/k/a SPA Managed Shared Ring Network service throughout its service territory in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

As required by Section 63.71(a) and (b) of the Commission's rules, AT&T is providing the following information:

**Name and Address of Carrier (47 C.F.R. § 63.71(a)(1), (b)(2)):**

BellSouth Telecommunications, Inc. d/b/a AT&T Southeast  
c/o AT&T Services, Inc.  
2600 Camino Ramon 4S 503  
San Ramon, CA 94583



**Date of Planned Service Discontinuance (47 C.F.R. § 63.71(a)(2), (b)(2)):**

AT&T will no longer offer these services to new customers on or after November 30, 2011, subject to Commission approval of this application. Existing customers may retain their services until July 1, 2014 pursuant to the terms and conditions of their existing service agreement.

**Points of Geographic Areas of Service Affected (47 C.F.R. § 63.71(a)(3), b(2)):**

BellSouth SMARTGate service will be discontinued throughout its service territory in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

**Brief Description of Type of Service Affected (47 C.F.R. § 63.71(a)(3), b(2)):**

SMARTGate service is a managed high capacity shared network service capable of providing a transport link with high performance and reliability parameters and a level of redundancy/diversity designed to limit a single event from interrupting service.

The equipment that supports AT&T's SMARTGate service was declared end of sale by the manufacturer. As a result, AT&T is discontinuing this service but plans to offer SMARTRing, DS3, OCN or Ethernet services as alternative service arrangements. Therefore, the public convenience and necessity is not impaired by the discontinuance of this service because AT&T offers ample alternative services.

**Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. §63.71(b)(3)):**

Currently, AT&T has one subscriber on this service and sent the customer notification of its intention to discontinue this service by letter on September 12, 2011 via U.S. Mail. A copy of the customer notification is attached hereto as Attachment A.

In addition, copies of this Application are being sent, first class U.S. Mail, to the public utilities commission and governor of each state in which discontinuance is proposed and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by 63.71(a) of the Commission's rules.

**Regulatory Classification of Carrier (47 C.F.R. § 63.71(b)(4)):**

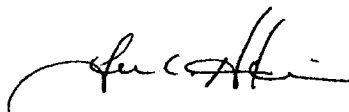
AT&T offers SMARTGate service pursuant to dominant carrier regulation.

Questions about this application may be addressed to Toni Acton, AT&T Services, Inc., Director - Federal Regulatory, 1120 20th Street N.W., Suite 1000, Washington, D.C. 20036, (202) 457-3039.

**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of AT&T's SMARTGate service because there are replacement services available from AT&T. AT&T respectfully requests that the Commission approve its Section 63.71 Application to discontinue this service.

Respectfully submitted,



Terri L. Hoskins  
Gary L. Phillips  
Paul K. Mancini  
AT&T Services, Inc.  
1120 20<sup>th</sup> Street NW  
Suite 1000  
Washington, DC 20036

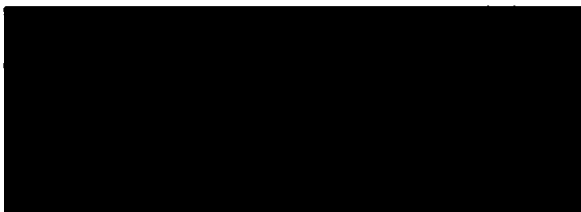
*Its Attorneys*

September 14, 2011

# **ATTACHMENT A**



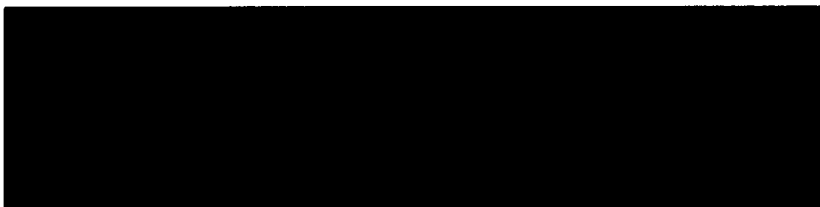
September 12, 2011



**Important Notice Regarding Discontinuance of  
SMARTGate Service (a.k.a. BellSouth SPA Managed Shared Ring Network)  
Effective November 30, 2011**

Thank you for using AT&T for your business service needs. We want to make you aware of planned changes to your SMARTGate Service\* (a.k.a. BellSouth SPA Managed Shared Ring Network) which will require coordination and action by you in the near future.

Our records indicate active SMARTGate Service on the following Sprint Billing Account Numbers (BANs):



In light of evolving market conditions and network platform equipment nearing End of Life (EOL), AT&T has elected to discontinue offering SMARTGate Service. It will be grandfathered and withdrawn from offer to all new customers in AT&T Southeast (AL, FL, GA, KY, LA, MS, NC, TN, SC) on November 30, 2011 (subject to approval by the Federal Communications Commission).

Effective November 30, 2011, the following service restrictions to existing SMARTGate service will also apply:

1. Existing customers may not purchase additional SMARTGate service arrangements; however, they may continue to purchase additional On-Net and Off-Net circuits and directly related elements associated with an existing SMARTGate Service, subject to existing capacity availability, for the remainder of any term commitment, including any contract, term plan or other applicable arrangement (collectively, "term commitment")
2. Existing service will be provided according to all applicable rates, terms and conditions for the remainder of any term commitment
3. Upon the expiration of any term commitment, service will be provided on a month-to-month basis at the then-applicable month-to-month rate until service is discontinued (currently planned for July 1, 2014).
  - a. No new or additional term commitments of any kind, including any otherwise available renewals, extensions or renegotiations, will be available.

(Over)

- b. Upon the expiration of any term commitment no move, adds or change orders will be accepted.

Though we plan to withdraw the SMARTGate Service offering, AT&T is ready to provide alternate solutions such as AT&T SMARTRing<sup>®</sup>, DS1, DS3, or OCN services.

Your AT&T account manager (John Rogers @[jr0844@att.com](mailto:jr0844@att.com)) is ready to discuss your needs to make this transition as smooth as possible.

We appreciate your cooperation and apologize for any inconvenience this change may cause.

Thank you for using AT&T.

Sincerely,

Bob Aiton  
Business Product Management - AT&T Services, Inc.  
2600 Camino Ramon 4S 503 San Ramon, CA 94583  
[ra3187@att.com](mailto:ra3187@att.com)

\* Service provided under FCC Tariff No. 1, Section 6 & 7, and The Access Services tariffs for BellSouth Telecommunications Inc. in Alabama, Florida, Georgia, Kentucky, Louisiana, and Tennessee, Section E7, and The AT&T North Carolina Access Guidebook, Section E7, and provided by BellSouth Telecommunications, Inc., d/b/a AT&T Southeast.

**AT&T is required by the FCC to provide the following statement:**

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 30 days after the Commission release public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the section 63.71 Application of BellSouth Telecommunications, Inc., d/b/a AT&T Southeast. Comments should include specific information about the impact of this proposed discontinuation (or reduction or impairment), upon you or your company, including any inability to acquire reasonable substitute service.

**Please do not send inquiries or payments to the return address on this notice. If you have comments or questions, please contact AT&T Customer Service at the toll-free number on your bill.**

SV22694

### **CERTIFICATE OF SERVICE**

I do certify that I have, on this 14<sup>th</sup> day of September 2011, served a copy of the foregoing Section 63.71 Application by U.S. Mail postage prepaid to the following:

/s/Lacretia Hill  
Lacretia Hill

Alabama Public Service Commission  
100 N. Union Street  
Suite 850  
Montgomery, AL 36104

Governor Steve Beshear  
700 Capital Avenue  
Suite 100  
Frankfort, KY 40601

Governor Robert Bentley  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130

Louisiana Public Service Commission  
Galvez Building, 12th Floor  
602 North Fifth Street  
P.O. Box 91154  
Baton Rouge, LA 70821

Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Secretary of Defense  
Attn: Special Asst. for Telecommunications  
Pentagon  
Washington, D.C. 20301

Governor Rick Scott  
Office of the Governor  
The Capitol  
Tallahassee, FL 32399-0001

Office of the Governor  
P.O. Box 94004  
Baton Rouge, LA 70804-9004

Georgia Public Service Commission  
244 Washington Street, SW  
Atlanta, GA 30334

Mississippi Public Utilities Commission  
Woolfolk Building  
501 North West Street  
Jackson, MS 39201-1174

Office of the Governor  
Georgia State Capitol  
Atlanta, GA 30334

Governor Haley Barbour  
P.O. Box 139  
Jackson, MS 39205

Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602

North Carolina Utilities Commission  
430 North Salisbury Street  
Dobbs Building  
Raleigh, NC 27603-5918

Governor Beverly Perdue  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Public Service Commission of South  
Carolina,  
101 Executive Center Dr., Suite 100  
Columbia, SC 29210

Governor Nikki Haley  
Office of the Governor  
P.O. Box 12267  
Columbia, SC 29211

Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Governor Bill Haslam  
Governor's Office  
Tennessee State Capitol  
Nashville, TN 37243-0001